

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

BRIGHT IMPERIAL LIMITED,

Plaintiff,

v.

RT MEDIA SOLUTIONS, S.R.O., *et al.*,

Defendants.

Civil Action No. 1:11-cv-00935-LO-TRJ

MOTION FOR DEFAULT JUDGMENT

Plaintiff Bright Imperial Limited (“Bright”), by and through its undersigned counsel, and pursuant to Rule 55(b) of the Federal Rules of Civil Procedure, hereby moves the Court to enter Default Judgment against *in rem* defendants <my-redtube.com>, <redtube24.com>, <redtube24.net>, <redtube-hardcore.com>, <red-tube-porn.net>, <reds-tube.com>, <redtube.net>, and <red-tube.net> (the “Infringing Domain Names” or “Defendants”).

As discussed more fully in the accompanying Memorandum of Law in Support of Plaintiff’s Motion for Default Judgment, with regard to six of the Infringing Domains names,¹ no person or entity asserting any interest in or right to the Infringing Domain Names filed a verified statement identifying its interest or right, or otherwise responded to Bright’s Complaint, within the time period set by the Court’s Order of January 6, 2012. Therefore, on June 26, 2012, Bright submitted a request to the Clerk of the Court to enter a default against each of the Defendants.

The Clerk of the Court duly entered default as to these six Defendants on June 29, 2012.

¹ The six domain names are: <my-redtube.com>, <redtube24.com>, <redtube24.net>, <redtube-hardcore.com>, <red-tube-porn.net>, and <reds-tube.com>.

With regard to <redtube.net> and <red-tube.net>, these two domain names filed an Answer to Bright's Complaint on June 8, 2012. Bright filed a Motion to Strike the Answer, which was granted by the Court on August 3, 2012. The domain names were then ordered to file a verified statement of interest within 21 days of the date of the Order. In the verified statements of interest filed on behalf of the two domain names, each domain name elected not to defend this action and consented to the entry of default. The Clerk of the Court duly entered default as to these two Defendants on February 28, 2013.

As Defendants are in default, the well-pled allegations of Bright's Verified Complaint are deemed admitted, and Bright respectfully submits that it is entitled to the relief requested in its verified complaint. Accordingly, Bright respectfully moves the Court to enter judgment in its favor, and to order the transfer of the Nonresponsive Domain Names to Bright. A proposed Order is attached.

The Motion is based on this Motion, the accompanying Memorandum of Law in Support of Plaintiff's Motion for Default Judgment and attached exhibits filed herewith, the accompanying Declarations of Tenaya M. Rodewald and Cynthia Whitaker, Bright's verified complaint in this action, the other pleadings and papers on file in this action, and any other evidence, authority or argument that may be presented to the Court at or before the time of the hearing.

Wherefor, Bright hereby moves the Court to enter default judgment against the Defendants, ordering the transfer of the Infringing Domain Names to Bright, and granting the

additional relief sought by Bright in this action with respect to the Defendants, as set forth in the proposed order submitted herewith.

Respectfully submitted,

Dated: April 15, 2013

/s/ Sheldon M. Kline

Sheldon M. Kline (VA Bar No. 27959)

James M. Chadwick (admitted *pro hac vice*)

Karin H. Johnson (admitted *pro hac vice*)

Tenaya M. Rodewald (admitted *pro hac vice*)

SHEPPARD MULLIN RICHTER & HAMPTON LLP

1300 I Street, NW, 11th Floor East

Washington, DC 20005

Telephone: (202) 218-0000

Facsimile: (202) 218-0020

skline@sheppardmullin.com

jchadwick@sheppardmullin.com

kjohnson@sheppardmullin.com

trodewald@sheppardmullin.com

Attorneys for Plaintiff Bright Imperial Limited

CERTIFICATE OF SERVICE

I hereby certify that on this April 15, 2013, I will electronically file the foregoing PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT with the Clerk of the Court using the CM/ECF system and that a copy will be sent electronically and via airmail, postage prepaid, to the following non-filing parties:

Ronny Reimann (info@rchr-media.com; info@rchr-media.de)
Caminal de son Monei Poly.
46 Parc. 277
07620 Llucmajor
Spain

Ronny Reimann
Wolfenbuetteler Strasse 57c
38124 Braunschweig
DE

Thomas Oliver (marketing@mamamiamia.net)
Mamamiamia Limited
Lord Byron Street 61-63
Larnaca
6023
CY

Steven Johnson (info@united-web-solutions.com)
United Web Solutions S.A.
Calle Haiti 5
El Tablero – Maspalomas 35109
Spain

Christian Stechl (christian.stechl@web.de)
Via Carona 17
Paradiso-Ti 69000
Italy

Thomas Gebauer (info@infomedia24.de)
Lappstrasse 97
Zweibruecken 66482
Germany

Whois Protected (protect@whois-protect.net)
Ramon Arias Avenue
Maheli Building, Office 12-E
Panama City 00000
Panama

/s/ Sheldon M. Kline

Sheldon M. Kline (VA Bar No. 27959)
James M. Chadwick (admitted *pro hac vice*)
Karin H. Johnson (admitted *pro hac vice*)
Tenaya M. Rodewald (admitted *pro hac vice*)
SHEPPARD MULLIN RICHTER & HAMPTON LLP
1300 I Street, NW, 11th Floor East
Washington, DC 20005
Telephone: (202) 218-0000
Facsimile: (202) 218-0020
skline@sheppardmullin.com
jchadwick@sheppardmullin.com
kjohnson@sheppardmullin.com
trodewald@sheppardmullin.com